

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

**ITEM NUMBER:** 26

**DATE:** May 18, 1999

**STAFF:** Ron Fuchs

### **SUBJECT:**

Resolution 99-56 Finding Substantial Compliance and Initiating Annexation Proceedings for the Johnson-Harmony Annexation.

### **RECOMMENDATION:**

Staff recommends adoption of the Resolution.

### **EXECUTIVE SUMMARY:**

This is a request for a 100% voluntary annexation. The property being considered for annexation is approximately 63.265 acres in size and is located south of East Harmony Road and east of Cambridge Avenue. The existing uses of the properties are agricultural in Larimer County. The proposed zoning for this annexation is Harmony Corridor District (HC).

The proposed Resolution accepts the annexation petition, finds that the petition and accompanying map are in substantial compliance with the Municipal Annexation Act, and directs that the published notice required by State law be given of the Council's hearing to consider the needed annexation ordinance. The hearing will be held at the time of First Reading of the annexation and zoning ordinances on July 6, 1999. Not less than thirty days prior published notice is required by State law.

### **BACKGROUND:**

The property is located within the Fort Collins Urban Growth Area (UGA). According to policies and agreements between the City of Fort Collins and Larimer County contained in the Intergovernmental Agreement for the Fort Collins Urban Growth Area, the City will agree to consider annexation of property in the UGA when the property is eligible for annexation according to state law. The property gains its 1/6 contiguity from the common boundary with the Ricketts First Annexation (September 1993), Ricketts Second Annexation (September 1993), and Harmony Farm Annexation (July 1994) to the west; the Harmony Annexation Number 4 (November 1977) to the north; and, the Mary Smith Annexation (January 1995) to the east. Further, the annexation is consistent with the Harmony Corridor Plan, which requires certain property to be annexed prior to development.

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The annexation is made up of two parcels. The owners of record are:

Glen Johnson-3432 Carlton Avenue, Fort Collins, CO 80525

Jean Johnson-3432 Carlton Avenue, Fort Collins, CO 80525

Donald LeFever-4710 Cinquefoil Lane, Fort Collins, CO 80525

Dorothy LeFever-4710 Cinquefoil Lane, Fort Collins, CO 80525

Planning and Zoning Board Hearing

The Planning and Zoning Board conducted a public hearing on the annexation and zoning request at its meeting on May 6, 1999. At that meeting, the Board recommended approval of the annexation and approval of Harmony Corridor District (HC) zoning by a 5-1 vote.

RESOLUTION 99-56  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
FINDING SUBSTANTIAL COMPLIANCE AND  
INITIATING ANNEXATION PROCEEDINGS FOR THE  
JOHNSON-HARMONY ANNEXATION

WHEREAS, a written petition, together with four (4) prints of an annexation map, was heretofore filed with the City Clerk requesting the annexation of certain property to be known as the Johnson-Harmony Annexation; and

WHEREAS, the Council of the City of Fort Collins desires to initiate annexation proceedings in accordance with law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the Council hereby accepts the annexation petition for the Johnson-Harmony Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

**LE FEVER PARCEL:**

A TRACT OF LAND SITUATE IN THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6<sup>TH</sup> P.M., LARIMER COUNTY, COLORADO, WHICH, CONSIDERING THE NORTH LINE OF THE SAID NORTHEAST 1/4 AS BEARING DUE WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEARS EAST 957.10 FEET AND AGAIN SOUTH 02°03'30" EAST 417.14 FEET FROM THE NORTH 1/4 CORNER OF SAID SECTION 4 AND RUN THENCE EAST 590.11 FEET TO A POINT ON THE WEST LINE OF FOSSIL CREEK INLET DITCH; THENCE ALONG SAID WEST LINE SOUTH 00°52' EAST 36.35 FEET, AND AGAIN SOUTH 53°50' EAST 125.95 FEET, AND AGAIN SOUTH 61°20' EAST 202.54 FEET, AND AGAIN SOUTH 36°30' E 285.09 FEET, AND AGAIN SOUTH 27°35' EAST 392.54 FEET, AND AGAIN SOUTH 11°51' EAST 106.27 FEET; THENCE WEST 1211.26 FEET; THENCE NORTH 02°03'30" WEST 889.51 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 19.97 ACRES MORE OR LESS.

**JOHNSON PARCEL:**

A TRACT OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH P.M., COUNTY OF LARIMER, STATE OF COLORADO BEING DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE SAID NORTHEAST QUARTER AS BEARING DUE

EAST AS SHOWN ON THE LAND SURVEY PLAT PREPARED BY STEWART AND ASSOCIATES ON JUNE 18, 1987, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO IS CONTAINED WITHIN THE BOUNDARY LINES WHICH BEGIN AT A POINT WHICH BEARS S 02°03'00" E, 25.00 FEET, AND AGAIN N 89°54'00" E, 299.98 FEET, FROM THE NORTH QUARTER CORNER OF SAID SECTION 4, AND RUNS THENCE N 89°54'00" E, 263.62 FEET; THENCE EAST 333.43 FEET TO THE WEST LINE OF A 60 FOOT WIDE ACCESS ROAD; THENCE S 02°03'30" E, 2597.99 FEET; THENCE N 89°06'45" W, 898.02 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 4; THENCE N 02°03'00" W, 864.57 FEET; THENCE EAST 300.00 FEET; THENCE N 02°03'00" W, 1719.05 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED LAND CONTAINING 41.498 ACRES, MORE OR LESS.

Section 2. That the Council hereby finds and determines that the annexation petition and accompanying map are in substantial compliance with the Municipal Annexation Act.

Section 3. That the Notice attached hereto be adopted as a part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be held regarding the passage of an annexation ordinance pertaining to the above described property. The City Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Municipal Annexation Act.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 18th day of May, A.D. 1999.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## NOTICE

TO ALL PERSONS INTERESTED:

PLEASE TAKE NOTICE that the City Council of the City of Fort Collins has adopted a Resolution initiating annexation proceedings for the Johnson-Harmony Annexation, said Annexation being more particularly described in said Resolution, a copy of which precedes this Notice.

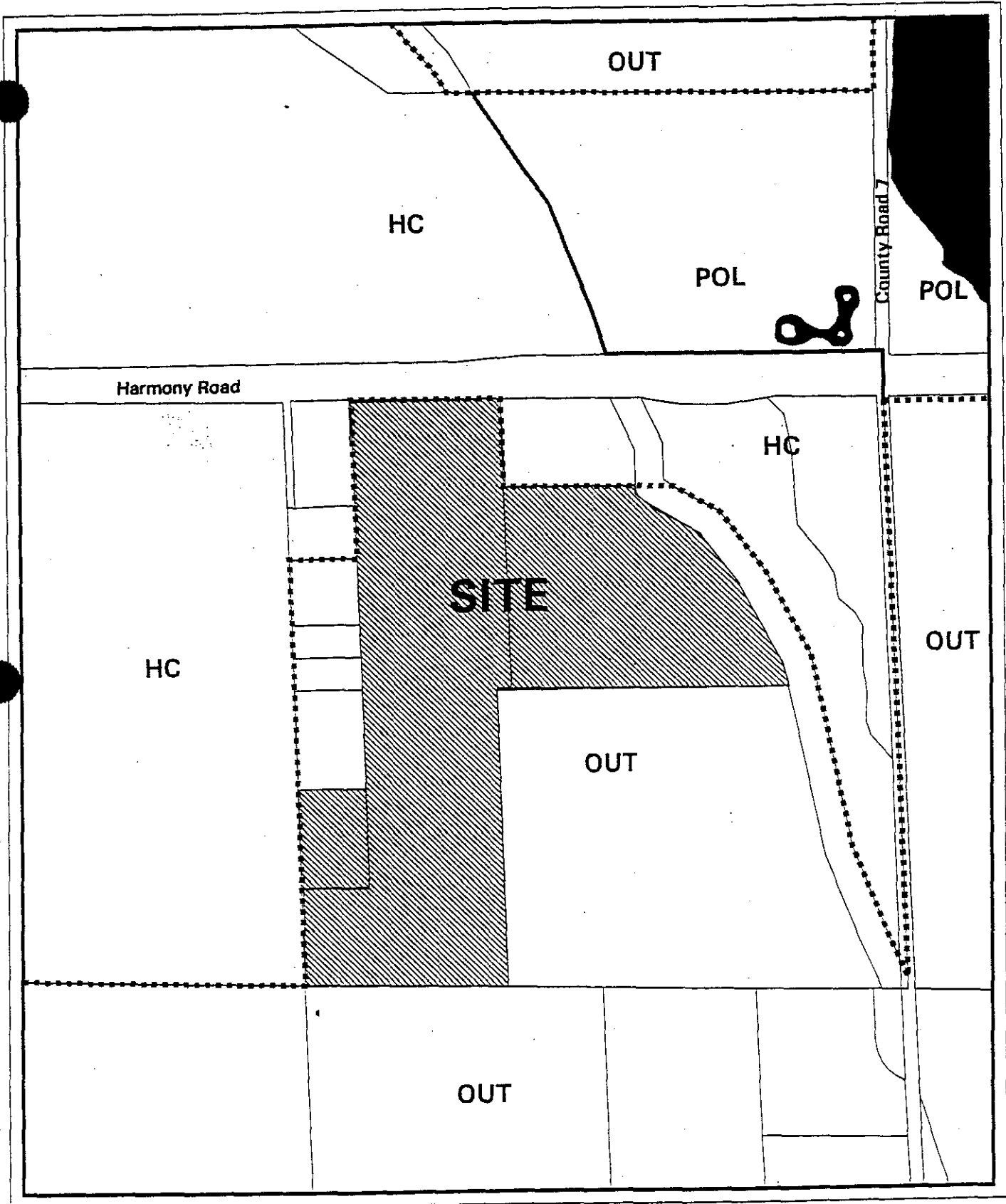
That, on July 6, 1999, at the hour of 6:00 p.m., or as soon thereafter as the matter may come on for hearing in the Council Chambers in the City Hall, 300 LaPorte Avenue, Fort Collins, Colorado, the Fort Collins City Council will hold a public hearing upon the annexation petition for the purpose of finding and determining whether the property proposed to be annexed meets the applicable requirements of Colorado law and is considered eligible for annexation. At such hearing, any persons may appear and present such evidence as they may desire.

The City of Fort Collins will make reasonable accommodations for access to City services, programs and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 for assistance.

Dated this 23rd day of May, A.D. 1999.

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City Clerk

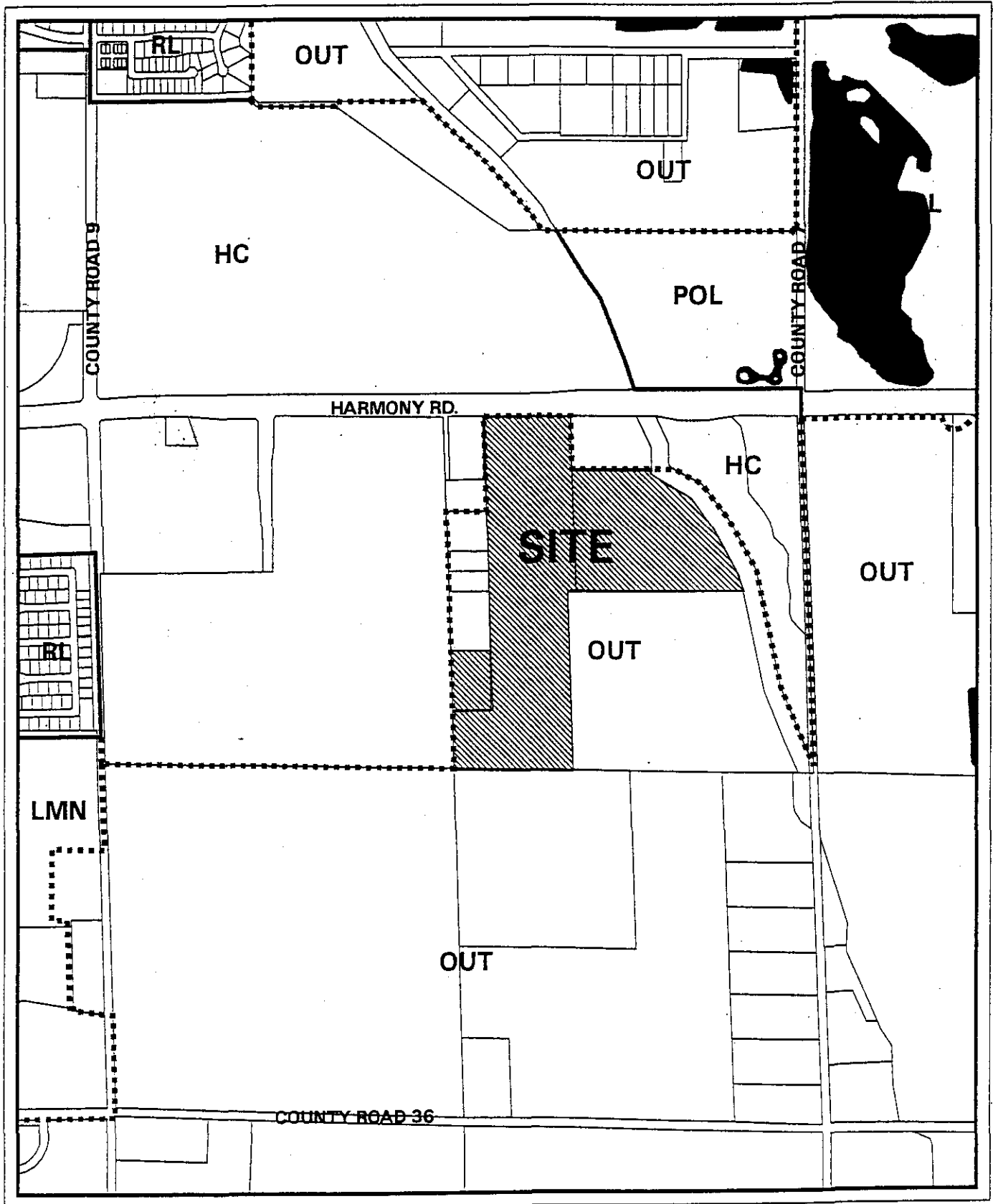


VICINITY MAP

03/25/99

# #4-99 Johnson - Harmony Annexation & Zoning

1" = 600'



VICINITY MAP

03/25/99

# #4-99 Johnson-Harmony Annexation & Zoning

1" = 1000'